

United States Government

Department of Energy

Bonneville Power Administration

# memorandum

DATE: July 22, 2003

REPLY TO  
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-109)

to: Gerald McClintock  
Fish and Wildlife Project Manager - KEWU-4

**Proposed Action:** East Fork Holistic Restoration – Salmon River East Fork (SEF) 12 and Herd Creek (HC) 1

**Project No:** 2002-065-00

**Wildlife Management Techniques or Actions Addressed Under This Supplement Analysis (See App. A of the Wildlife Mitigation Program EIS):** 1.15 Fish Passage Enhancement – Fishways, 4.1 Irrigation Water Management, 4.2 Water Measuring Devices, 4.23 Intake and Return Diversion Screens, 4.25 Consolidation/Replace Irrigation Diversion Dams

**Location:** Custer County, Idaho

**Proposed by:** Bonneville Power Administration (BPA) and the Custer Soil and Water Conservation District (Bureau of Reclamation has provided project support)

**Description of the Proposed Action:** The Bonneville Power Administration (BPA) is proposing to fund activities that will improve fish passage at Salmon River East Fork diversion 12 and at Herd Creek diversion 1. These projects represent cooperative efforts between the Custer Soil and Water Conservation District, Idaho Department of Fish and Game, and local irrigators. The goal of the SEF 12 project is to improve fish passage and habitat by removing the existing SEF 12 pushup gravel diversion, replacing it with a permanent rock weir structure, and installing an impervious membrane and geotextile liner in the wing diversion parallel to the stream bank. The work on the diversion structure at HC 1 will be confined to the existing headgate, wasteway and plunge pool immediately below the structure. The wasteway and plunge pool are part of the system that provides fish passage around the existing diversion structure. The new structure will include improved stop logs and a reconstructed plunge pool, which will enhance fish passage at the diversion.

**Analysis:** The compliance checklist for this project was completed by Al Simpson with the Bureau of Reclamation (July 16, 2003), and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

The Endangered Species Act (ESA) listed species that may occur in the general vicinity of the project area are gray wolf, Canada lynx, bald eagle, Ute ladies'-tresses, sockeye salmon, Snake River spring/summer chinook salmon, Snake River steelhead, and bull trout. Pursuant to

Section 7 of the Endangered Species Act, BPA submitted a Biological Assessment (BA) for the SEF 12 project to NOAA Fisheries and U.S. Fish and Wildlife Service (USFWS) on May 1, 2003. Based on the BA and subsequent discussions with NOAA Fisheries and USFWS, BPA determined that the proposed actions associated with SEF 12 would have no effect on gray wolf, Canada lynx, bald eagle, Ute ladies'-tresses and sockeye salmon.

BPA also determined that the proposed SEF 12 actions may affect, but are not likely to adversely affect bull trout, and that the proposed SEF 12 actions may adversely affect chinook salmon and steelhead. In addition, BPA determined that the proposed SEF 12 actions may adversely affect Essential Fish Habitat for chinook salmon. As part of this consultation, BPA also determined that the proposed activities associated with HC 1 may affect, but are not likely to adversely affect bull trout, Snake River spring/summer chinook salmon, and Snake River steelhead.

USFWS issued a letter of concurrence on the SEF 12 and HC 1 findings on July 7, 2003. NOAA Fisheries issued a letter of concurrence on the HC 1 findings on July 8, 2003. NOAA Fisheries issued a Biological Opinion for the SEF 12 project on July 7, 2003, (see attached). NOAA Fisheries concluded that the proposed SEF 12 actions were not likely to jeopardize the continued existence of Snake River spring/summer chinook salmon or Snake River steelhead or result in the destruction or adverse modification of their habitat. Within the Biological Opinion, NOAA Fisheries identified a set of Reasonable and Prudent Measures and nondiscretionary Terms and Conditions for the project that are designed to minimize take of spring chinook and steelhead and minimize potential effects to Essential Fish Habitat. All identified Reasonable and Prudent Measures and Terms and Conditions contained in the attached Biological Opinion must be implemented accordingly.

In compliance with Section 106 of the National Historic Preservation Act, a cultural resources survey of the SEF 12 and HC 1 project sites was completed by the U.S. Forest Service. An intuitive-complete cultural survey was conducted within the project areas. No cultural resources were discovered as a result of the surveys. Based on these findings, BPA concluded that there would be no effect on prehistoric or historic resources associated with the SEF 12 or HC 1 activities. In the unlikely event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity of the finds will be discontinued and the area secured until they can be inspected and assessed by a qualified archaeologist. The Idaho State Historic Preservation Office concurred with these findings and recommendations on October 3, 2001, for the SEF 12 site and on September 28, 2001, for the HC 1 site.

Standard water quality protection procedures and Best Management Practices will be followed during the implementation of the culvert replacement activities. No construction is authorized to begin until the proponent has obtained all required local, state, and federal permits and approvals.

Public involvement has taken place as part of the SEF 12 and HC 1 projects. Articles have been published in the local newspapers, the projects have been discussed at the Upper Salmon Watershed Project meetings, and draft design documents have been circulated to agencies, landowners, irrigators and the Shoshone Bannock Tribe for review.

**Findings:** The project is generally consistent with Section 7.6A.2, 7.6B.3, & 7.8E.1, of the Northwest Power Planning Council's Fish and Wildlife Program. This Supplement Analysis finds: 1) The proposed actions are substantially consistent with the Watershed Management Program EIS (DOE/EIS-0265) and ROD, and 2) There are no new circumstances or information relevant to environmental concerns and bearing on the proposed actions or their impacts. Therefore, no further NEPA documentation is required.

/s/ Shannon Stewart  
Shannon C. Stewart  
Environmental Specialist

CONCUR:

/s/ Thomas C. McKinney                      DATE: 7/23/03  
Thomas C. McKinney  
NEPA Compliance Officer

Attachments:  
NEPA Compliance Checklist  
NOAA Fisheries Biological Opinion, July 7, 2003  
NOAA Fisheries Letter of Concurrence, July 8, 2003  
USFWS Letter of Concurrence, July 7, 2003  
Determination of Significance and Effect prepared for NRCS (NRCS-01-3204 and NRCS-01-3205)

cc: (w/ attachments)  
Ms. Karma Bragg – Custer Soil and Water Conservation District  
Mr. Al Simpson – Bureau of Reclamation